

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LATOYA BROWN; LAWRENCE
BLACKMON; HERBERT ANTHONY
GREEN; KHADAFY MANNING;
QUINNETTA MANNING; MARVIN
MCFIELD; NICHOLAS SINGLETON;
STEVEN SMITH; BESSIE THOMAS; and
BETTY JEAN WILLIAMS TUCKER,
individually and on behalf of a class of all
others similarly situated,

Plaintiffs,

v.

MADISON COUNTY, MISSISSIPPI;
SHERIFF RANDALL S. TUCKER, in his
official capacity; and MADISON COUNTY
SHERIFF'S DEPUTIES JOHN DOES #1
through #6, in their individual capacities,

Defendants.

Civil Action No.
3:17-cv-00347-WHB-LRA

**JOINT MOTION FOR
EXTENSION OF DEADLINES**

Plaintiffs and Defendants (collectively, the "Parties") respectfully submit this Joint Motion for extension of deadlines in connection with certain motions recently filed by Defendants ("Joint Motion"). In support of this Joint Motion, the Parties would show as follows:

1. On August 9, 2017, this Court entered a Case Management Order concerning class certification related discovery (ECF No. 30). The deadlines for class certification-related discovery and for Plaintiffs to file their motion for class certification were extended to February 16, 2018 and March 14, 2018, respectively, by further Order of this Court dated January 18, 2018 (ECF No. 169).

2. On February 27, 2018, this Court entered a further Stipulated Scheduling Order concerning the schedule for briefing and expert discovery on Plaintiffs' motion for class certification (ECF No. 202). Pursuant to this Order, Plaintiffs' motion for class certification was filed on March 14, 2018 (ECF Nos. 231-32). Defendants' opposition to the motion for class certification is due on May 8, 2018, and Plaintiffs' Reply is due on July 2, 2018.

3. Defendants have recently filed six Motions for Summary Judgment, each concerning the claims of an individual named Plaintiff. The first two summary judgment motions were filed on March 7, 2018 (ECF Nos. 209-10, 211-12), with their supporting memoranda re-filed on March 14, 2018 (ECF Nos. 233-34). Three more summary judgment motions were filed on March 12, 2018 (ECF Nos. 218-19, 220-21, 222-23), and another was filed on March 14, 2018 (ECF Nos. 228-29). Defendants have advised Plaintiffs that they intend to file motions for summary judgment concerning the claims of the two named Plaintiffs against whom such motions have not yet been filed.

4. On March 14, 2018, Defendants also filed a Motion to Deny Class Certification (ECF Nos. 237-38).

5. In light of the number of recently-filed and anticipated motions (the "Defense Motions"), the Parties respectfully request that the Court extend the deadlines for Plaintiffs to respond to the Defense Motions by 21 days, and grant Defendants 21 days to file any rebuttal to any responses filed by Plaintiffs.

6. The Parties now jointly submit that good cause exists for entry of the proposed Order, reflecting the foregoing agreement of the Parties, in the form attached hereto as **Exhibit A**, and therefore respectfully request that the Court approve and adopt this proposed Order as an Order of the Court.

7. The Parties reserve all rights, claims, and defenses, both procedural and substantive, with respect to all pending motions and other matters, and this Joint Motion does not constitute a waiver or concession with respect to any such right, claim, or defense.

Dated: March 16, 2018

By: /s/ Joshua Tom
Joshua Tom

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By: /s/ Charles E. Ross
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CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2018, I caused the foregoing **JOINT MOTION FOR EXTENSION OF DEADLINES** to be electronically filed with the Clerk of the Court using the CM/ECF system, which has generated and delivered electronic notice of filing to all counsel of record who have consented to electronic service.

/s/ Joshua Tom

Joshua Tom

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
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[PROPOSED] ORDER EXTENDING DEADLINES

The Court has considered the Joint Motion filed by the Parties seeking an extension of deadlines in connection with certain motions recently filed by Defendants. The Motion is GRANTED.

1. The deadlines for Plaintiffs to respond to the following motions are extended by 21 days from the respective deadlines applicable to each such motion under Local Rule 7(b)(4) (*i.e.*, 35 days in total for each motion):
 - a. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Latoya Brown, ECF Nos. 209-210 (March 7, 2018), *revised memorandum filed with leave of Court*, ECF No. 233 (March 14, 2018).

- b. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Steven Smith, ECF Nos. 211-212 (March 7, 2018), *revised memorandum filed with leave of Court*, ECF No. 234 (March 14, 2018).
- c. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Betty Jean Williams Tucker, ECF Nos. 218-219 (March 12, 2018).
- d. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Bessie Thomas, ECF Nos. 220-221 (March 12, 2018)
- e. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Nicholas Singleton, ECF Nos. 222-223 (March 12, 2018).
- f. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Lawrence Blackmon, ECF Nos. 228-229 (March 14, 2018).
- g. Motion to Deny Class Certification, ECF Nos. 237-238 (March 14, 2018).

2. The deadlines for Plaintiffs to respond to any Motions for Summary Judgment to be filed by Defendants as to claims by Plaintiff Khadafy Manning and/or Plaintiff Quinnetta Manning are also hereby extended by 21 days from the respective deadlines that would otherwise be applicable to each such motion under Local Rule 7(b)(4) (*i.e.*, 35 days in total for each motion).

3. Defendants shall be afforded 21 days to file any rebuttals to any responses filed by Plaintiffs in opposition to the motions set forth in Paragraphs 2 and 3, above.

4. The deadlines set forth in the Stipulated Scheduling Order entered by the Court on February 27, 2018 (ECF No. 202) are unaffected by this Order.

SO ORDERED in the United States District Court for the Southern District of Mississippi, Northern Division, this ____ day of March, 2018.

WILLIAM H. BARBOUR, JR.
UNITED STATES DISTRICT JUDGE